

## MINUTES

WEST YORK BOROUGH COUNCIL - MONDAY, SEPTEMBER 8, 2008

THE MEETING WAS CALLED TO ORDER AT 7:00 P.M. FOLLOWED BY PRAYER (BY RICK ROTH) AND PLEDGE TO THE FLAG. MEMBERS PRESENT WERE MR. MAUCK, MR. WILSON, MR. LARKIN, MR. MUMMERT AND MS. METZLER. MR. HUNTER ARRIVED AT 7:10, MS. LAIRD WAS ABSENT. ALSO PRESENT WAS SOLICITOR MILLER AND MAYOR FIRESTONE.

MR. MAUCK REQUESTED THAT THE MAYOR ADDRESS HIS VETO OF THE COMCAST CABLE AGREEMENT ORDINANCE.

THE MAYOR READ HIS PREPARED STATEMENT ON HIS VETO OF THE 25 YEAR CONTRACT ORDINANCE WITH COMCAST WHICH IS ATTACHED AND BECOMES A PART OF THESE MINUTES.

MR. MAUCK STATED THAT THE VETO IS PROBABLY WRECKLESS AND IN 2002 A PRIOR COUNCIL (THE MAYOR AT THAT TIME BEING ONE OF THE MEMBERS) VOTED ON AND APPROVED THE VERY SAME CONTRACT WHICH AT THAT TIME DID NOT INCLUDE THE FREE INTERNET AND SIGN UP BONUS. MR. MAUCK STATED THAT COMCAST HAS BEEN GRACIOUS AND ALLOWED US TO RENEW A CONTRACT THAT DID NOT TERMINATE UNTIL 2012 ALONG WITH A SIGN UP BONUS OF \$7500 AT A TIME WHEN THE BOROUGH NEEDS FUNDING. HE NOTED THAT MEMBERS OF THE OPPOSITION PARTY WANT TO CRITICIZE COUNCIL FOR SPENDING MONEY, HOWEVER AFTER WORKING VERY HARD, WE HAVE FOUND WAYS TO UTILIZE FUNDS CREATIVELY.

ON MOTION BY MR. MAUCK SECONDED BY MR. WILSON AND AGREED, THE VETO WAS OVERRIDDEN AND THE COMCAST ORDINANCE WAS APPROVED.

### PUBLIC COMMENT PERIOD

PRESIDENT MAUCK COMMENTED AS FOLLOWS. THE STATE OF OUR BOROUGH IS FRAGILE AT THIS TIME AND WE HAVE WORKED VERY HARD FROM THE BEGINNING TO EXAMINE FINANCES. MR. MAUCK RECEIVED AN ANONYMOUS LETTER AND NOTED THAT LIKE AT THE

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TABLE, THE D'S AND R'S GET IN THE WAY. YOU DO NOT WALK DOWN THE STREET AND IGNORE PEOPLE IF THEY ARE OF AN OPPOSITE PARTY, YOU DO THE RIGHT THING AND SAY HELLO. MEMBERS OF THIS TABLE ARE HELD TO A HIGHER STANDARD, WHEN YOU SEE A POLICE OFFICER, HIGHWAY OR OFFICE WORKER, YOU SAY HELLO AND THANK THEM FOR THEIR SERVICE AND THOSE AT THIS TABLE WHO THINK THAT IS BENEATH THEM SHOULD RECONSIDER SINCE THEY ARE IN PUBLIC SERVICE. IF ANYONE AT THIS TABLE HAS A PROBLEM WITH OUR EMPLOYEES, PLEASE SHARE IT WITH US TONIGHT BECAUSE MR. MAUCK STATED THAT HE IS SURE THEY WOULD LIKE TO KNOW. OTHERWISE, MR. MAUCK URGED ANYONE WHO SHOULD ACT LIKE THIS TO CHANGE THEIR WAYS.

THE ANONYMOUS LETTER, AS MR. MAUCK REFERRED TO EARLIER STATES THAT THE POLICE CRUISERS BEING LEASED WILL NOT BELONG TO THE BOROUGH AFTER THE LEASE EXPIRES AND HE SAID THIS IS A BLATANT LIE. THE LETTER ACCORDING TO MR. MAUCK REFERS TO WRECKLESS SPENDING, HOWEVER THE WRITER FAILS TO NOTE THAT GRANTS ARE BEING RECEIVED.

MR. MAUCK NOTED THAT HE OPENS THE FLOOR FOR DEBATE ALL OF THE TIME, SO IF YOU WANT TO HAVE AN HONEST DEBATE, SIGN YOUR NAME TO A LETTER BECAUSE WHEN YOU DON'T TELL THE TRUTH IT IS CHEAP TO NOT SIGN YOUR NAME TO IT.

MR. MAUCK HAS HEARD THAT THE TABLE DOES NOT WORK WELL TOGETHER ALTHOUGH THE MAJORITY AT THE TABLE IS DEMOCRATIC, AND POINTED OUT THAT MS. METZLER IS A REPUBLICAN HOWEVER DOES NOT TREAT HIM (MR. MAUCK) AS A DEMOCRATIC FOE, SHE TREATS HIM AS A FRIEND AND COLLEAGUE .

MR. MAUCK CHALLENGED THOSE WHO AREN'T INVOLVED TO COME AROUND A LITTLE MORE AND GET INVOLVED AND NOT PUT OUT STATEMENTS THAT AREN'T TRUE.

KEN WELSH, 1623 MONROE STREET RETURNED TO THE COUNCIL TABLE, THE VOLUNTEER AWARD PLAQUE WHICH WAS PRESENTED TO HIM IN AUGUST. MR. MAUCK STATED THAT HE HATES TO ACCEPT THE PLAQUE AS MR. WELSH HAD WORKED VERY HARD AND DESERVED IT.

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MINUTES OF THE PREVIOUS MEETING

ON MOTION BY MR. LARKIN SECONDED BY MS. METZLER AND AGREED, THE MINUTES OF THE PREVIOUS MEETING (8/18/08) WERE APPROVED AS PRESENTED.

SOLICITOR'S REPORT

ON MOTION BY MR. WILSON SECONDED BY MR. MUMMERT AND AGREED, THE AGREEMENT BETWEEN WEST YORK BOROUGH AND CCIS FOR SERVICES AS SPECIFIED IN THE AGREEMENT ON THE UNIFORM CONSTRUCTION CODE. MR. HUNTER VOTED NO.

ON MOTION BY MR. MAUCK SECONDED BY MR. WILSON AND AGREED A RESOLUTION WAS ADOPTED ACCEPTING THE COUNTER OFFER FOR THE PURCHASE OF REAL PROPERTY AND AN AGREEMENT OF SALE FOR 1135-37 W. KING STREET.

SOLICITOR MILLER STATED THAT WE ARE STILL AWAITING A REPLY FROM THE YORK COUNTY TRAFFIC ENGINEER ON A RECENT TRAFFIC STUDY QUESTION FROM COUNCIL (N. PEARL STREET).

THE SOLICITOR REQUESTED AN EXECUTIVE SESSION ON LITIGATION AND PROPERTY SALE ISSUES.

POLICE AND PUBLIC SAFETY

MR. MAUCK REPORTED THAT HE WILL BE ATTENDING A MEETING TOMORROW WITH YORK CITY AND OTHER SURROUNDING MUNICIPALITIES ON CURFEW MATTERS.

MS. METZLER WOULD LIKE TO REFURBISH ONE OF THE OLDER

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CRUISERS (AFTER THE NEW CRUISERS ARE RECEIVED) TO BE USED AS THE BOROUGH'S ANIMAL CONTROL VEHICLE AS SHE IS CONSTANTLY PICKING UP STRAY DOGS, CATS AND SAVING PETS FROM FIRE PROPERTIES. THE CAR WOULD BE REFURBISHED, ACCORDING TO MS. METZLER AND PAINTED PINK WITH A PINK LIGHT. MS. METZLER STATED THAT SHE BELONGS TO CART (COUNTY ANIMAL RESPONSE TEAM) AND THIS WOULD WORK WELL ALONG WITH THAT.

THE REQUEST WAS APPROVED ON MOTION BY MR. MAUCK SECONDED BY MR. WILSON. MR. HUNTER INQUIRED IF LIABILITY WAS CHECKED INTO ON TRANSPORTING PETS. AS IT WAS NOT YET CHECKED, MR. HUNTER FELT THIS WAS A LIABILITY. THE INSURANCE WILL BE CHECKED INTO, MR. MAUCK MADE THE MOTION CONTINGENT UPON THE INSURANCE, SECOND AS WELL, MOTION APPROVED WITH MR. HUNTER VOTING NO, REASON THAT IF THE CRUISERS WEREN'T ADEQUATE FOR THE POLICE, THEN THEY SHOULDN'T BE USED AT ALL.

ON MOTION BY MR. MAUCK SECONDED BY MR. WILSON AND AGREED, A FORM WILL BE DISTRIBUTED TO BOROUGH RESIDENTS FOR PET IDENTIFICATION PURPOSES AND RETURNED TO THE BOROUGH.

ON MOTION BY MS. METZLER SECONDED BY MR. WILSON AND AGREED, 20 EMC SHIRTS WERE APPROVED FOR PURCHASE AT THE COST OF \$226 PLUS SHIPPING AND HANDING.

FIRE, CODE ENFORCEMENT AND HIGHWAY

MR. WILSON STATED THAT THE FIRE DEPARTMENT HAS BEEN EXTREMELY BUSY AND EXPRESSED HOW PROUD HE IS OF THE DEPARTMENT AFTER THE MARKET STREET FIRE.

MR. WILSON ADVISED THE RESIDENTS OF N. PEARL STREET THAT COUNCIL IS STILL AWAITING CLARIFICATION OF THE TRAFFIC STUDY ON THEIR STREET AND APOLOGIZED FOR THE DELAY.

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MR. WILSON REPORTED THAT AS THE BOROUGH IS ERECTING STOP SIGNS IN ALLEYS, JOHN LOVE CAME UP WITH THE IDEA TO USE EXISTING STOP SIGNS (NOW AT STREET INTERSECTIONS) FOR ALLEYS AND REPLACE THOSE USED WITH NEW SIGNS. THE ESTIMATED COST FOR THE STOP SIGNS IS \$6646. TO BE FUNDED THROUGH LIQUID FUELS. THIS WAS APPROVED ON MOTION BY MR. WILSON SECONDED BY MR. MAUCK AND AGREED, THE PURCHASE WAS APPROVED.  
\*\*\*\*MAYOR FIRESTONE AND MR. HUNTER LEFT THE MEETING PRIOR TO THIS VOTE AS THE MAYOR STATED THERE WAS AN EMERGENCY.

ON MOTION BY MR. WILSON SECONDED BY MR. MAUCK AND AGREED, SNOW REMOVAL SIGNS WILL BE PURCHASED FROM LIQUID FUEL FUNDS ESTIMATED AT \$720.

ON MOTION BY MR. WILSON SECONDED BY MS. METZLER AND AGREED, FIVE ROLLS OF FLAME TAPE LINES WERE APPROVED FOR PURCHASE (TO BE USED WITH THE HIGHWAY HEAT GUN) AT A COST OF \$128.64 PER 96' ROLL, \$643 LESS 20%.

MR. WILSON REFERRED TO THE W. KING STREET POCKET PARK AND THE IDEA OF A WALKWAY FOR FALLEN HEROES WAS DISCUSSED. BRICKS WILL BE AVAILABLE FOR PURCHASE BY DONATION. MR. WILSON HAS ASKED ED WASHINGTON TO SERVE ON THE COMMITTEE FOR THE WALKWAY ALONG WITH MR. WILSON. MR. MAUCK NOTED THAT THERE SHOULD BE NO MORE THAN THREE COUNCIL MEMBERS SERVING AND NO MORE THAN SEVEN TOTAL INCLUDING THE GENERAL PUBLIC.

MS. METZLER READ A LETTER TO THE EDITOR WRITTEN BY LISA GROSS THANKING ALL THE FIREFIGHTERS WHO HELPED WITH THE S. HIGHLAND AVENUE FIRE.

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MR. MAUCK ANNOUNCED THAT DON RUTH, HIGHWAY SUPERVISOR HAS DECIDED TO RETIRE AND WILL USE THE REMAINDER OF HIS VACATION UP TO HIS RETIREMENT DATE. MR. MAUCK WISHED DON RUTH THE BEST AND HOPES THAT HE WILL COME BACK AND VISIT.

ON MOTION BY MR. MAUCK SECONDED BY MR. WILSON AND AGREED, JOHN LOVE WAS APPOINTED INTERIM SUPERVISOR UNTIL THE OFFICIAL DATE OF DON RUTH'S RETIREMENT.

PARKS/RECREATION, ZONING, BUILDINGS AND GROUNDS, SEWER

MS. METZLER STATED THAT SHE IS INTERESTED IN PURSUING CONVERTING EBERTS PARK INTO A DOG PARK. SHE STATED THAT SHE HAS VISITED THE DOG PARK IN THE EAST YORK AREA AND HAS OBTAINED INFORMATION ON FENCING, ETC. AND HAS VOLUNTEERS TO SERVE ON A BOARD TO MAKE THIS HAPPEN. ON MOTION BY MS. METZLER SECONDED BY MR. MAUCK AND AGREED, THE CONVERSION OF EBERTS PARK INTO THE ABBEY-SPARKLES-TOBY DOG PARK WAS APPROVED TO BE PURSUED. MR. WILSON STATED THAT HE IS 110% IN SUPPORT OF THE PARK FOR OUR SILENT MINORITY, MR. MAUCK AGREED. MR. MAUCK GRANTED AUTHORITY FOR MS. METZLER TO BE THE COMMITTEE CHAIRMAN OF THE DOG PARK COMMITTEE WHICH WILL CONSIST OF TWO ADDITIONAL COUNCIL MEMBERS AND TWO MEMBERS OF THE PUBLIC.

FINANCE AND GRANTS

MR. MAUCK REPORTED THAT HE, MR. WILSON AND MR. MUMMERT HAD A MEETING WITH JMT AND DID A WALK THRU OF THE SOUTHEAST CORRIDOR OF THE BOROUGH AND WAS VERY PRODUCTIVE. AN ELM STREET COMMITTEE WILL BE CREATED WITH MEMBERS OF THE PUBLIC IN THE NEAR FUTURE.

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NEW/UNFINISHED BUSINESS

MR. MAUCK EXPRESSED HIS HOPES THAT EVERYTHING IS OKAY WITH SAM AND HIS FAMILY.

MR. WILSON PRESENTED A TEAMSTERS LOGO WHICH HAS BEEN PROPOSED FOR ON THE W.Y.F.D. LADDER TRUCK TO BE PAID FOR BY THE TEAMSTERS. THE LOGO WAS APPROVED FOR THE TRUCK ON MOTION BY MR. WILSON SECONDED BY MR. LARKIN AND AGREED.

MR. MAUCK MADE NOTE TO THE PRESS AND PUBLIC THAT THE BOROUGH'S PHONE SYSTEM IS NOT WORKING PROPERLY DUE TO SOME TRANSITION PROBLEMS FROM VERIZON TO COMCAST.

THE MEETING WAS ADJOURNED AT 7:55 P.M. FOR AN EXECUTIVE SESSION ON LITIGATION AND REAL ESTATE MATTERS. THE MEETING RECONVENED AT 8:12 P.M.

ON MOTION BY MR. MAUCK SECONDED BY MS. METZLER AND AGREED, BOROUGH TAXES/SEWER & REFUSE COSTS WERE WAIVED IN CONJUNCTION WITH THE SALE OF 1135-37 W. KING STREET.

ON MOTION BY MR. MAUCK SECONDED BY MS. METZLER AND AGREED, SOLICITOR MacNEAL WILL REPRESENT THE BOROUGH AT THE 10/15/08 ZONING HEARING, 1251 W. KING STREET.

ON MOTION BY MR. MAUCK SECONDED BY MS. METZLER AND AGREED, A CRIMINAL COMPLAINT WILL BE FILED ON 1210 W. KING STREET IN A HOUSING MAINTENANCE MATTER.

ON MOTION BY MR. MAUCK SECONDED BY MR. WILSON AND AGREED, AN ADDENDUM TO THE FIRE OPERATOR CONTRACT WAS APPROVED SPECIFYING ADMINISTRATIVE DUTIES AND THE ANNUAL STIPEND OF \$3,000 FOR THE POSITION.

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ON MOTION BY MR. MAUCK SECONDED BY MR. WILSON AND AGREED, AN AD (NOT TO EXCEED \$500) WILL BE PLACED IN THE BALTIMORE SUN NEWSPAPER PROMOTING WEST YORK AS A PROMISING AREA FOR REDEVELOPMENT.

ON MOTION BY MS. METZLER, AUTHORIZATION WAS GIVEN TO BEGIN THE PROCESS OF REQUESTING BIDS FOR THE BOROUGH'S LOT AT 1401 W. PHILA. STREET. THE MOTION WAS WITHDRAWN BY MS. METZLER.

ON MOTION BY MS. METZLER SECONDED BY MR. WILSON AND AGREED, THE FOLLOWING INVOICES WERE APPROVED FOR PAYMENT:

GENERAL FUND \$159,015.46

ADJOURNMENT

THE MEETING WAS ADJOURNED AT 8:19 P.M. UNTIL MONDAY, SEPTEMBER 22, 2008 AT 7:00 P.M.

RESPECTFULLY SUBMITTED,

KATHY L. ALTLAND, SECRETARY  
WEST YORK BOROUGH COUNCIL  
MONDAY, SEPTEMBER 8, 2008